

Exhibit H

JUN 13 2019



U.S. Department of Justice

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June 10, 2019

Joseph E. Zdarsky, Esq.
Zdarsky, Sawicki & Agostinelli, LLP
1600 Main Place Tower
350 Main Street
Buffalo NY 14202

Re: Potential sale of Colonial Gardens, L.P., Marsol Apartments and Hunters Chase Apartments (as owned by LLCs managed by Robert Morgan and/or Morgan family members.

Dear Mr. Zardsky:

We have reviewed your letter dated June 3, 2019, requesting the federal government to comment on three (3) potential sales of property that may be related to the ongoing civil and criminal matters involving Robert Morgan and several other individuals. Please be advised that the United States Attorney's Office (USAO) and the Federal Bureau of Investigations (FBI) do not oppose the sale of the Marsol Apartment complex and Hunters Chase (## 2 and 3 in your letter). The Federal Housing Financing Authority (FHFA) takes no position as to these sales. We cannot take any position on behalf of the Securities and Exchange Commission (SEC).

As to the View at Mackenzie/Colonial Gardens proposed sale, we would oppose any such sale at this time.

In addition, we are requesting the final closing statement with respect to Marsol Apartments and Hunters Chase as soon as the closing takes place. Please mail documents to Mary Clare Kane, Assistant United States Attorney, United States Attorney's Office, 138 Delaware Avenue, Buffalo, New York, 14202, or scanned to Mary.Kane@usdoj.gov.

Thank you for your cooperation in this regard.

Very truly yours,

JAMES P. KENNEDY, JR.
United States Attorney

BY:


MARY CLARE KANE
Assistant United States Attorney

MCK/mej

cc: Lee A. Greenwood
Division of Enforcement
U.S. Securities and Exchange Commission
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